

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

MARYANN BUTLER and
AUDURY PETIE DAVIS,
Plaintiffs,

v.

NEW AMERICAN FUNDING, et al.,
Defendants.

FILED
HARRISBURG, PA

JUL 21 2025

PER



DEPUTY CLERK

Civil Action No. 1:25-cv-690-PJC

NOTICE OF APPEAL

Notice is hereby given that Maryann Butler and Audury Petie Davis, Plaintiffs in the above-captioned matter, hereby appeal to the United States Court of Appeals for the Third Circuit from the de facto denial and prolonged inaction of the United States District Court for the Middle District of Pennsylvania.

This appeal is filed due to the procedural irregularities, docket imbalance, and ongoing harm sustained by Plaintiffs resulting from the Court's failure to timely adjudicate operative pleadings and the striking of core filings without ruling on the Verified Curative Complaint, despite full record support and proper standing.

Plaintiffs respectfully file this appeal to preserve their appellate rights and to bring judicial attention to the ongoing prejudice, third-party harm, and denial of fair process.

Plaintiffs further state the following:

- A Rule 55(b) Motion for Default Judgment was submitted to the district court on July 21, 2025, supported by Exhibits and a Judicial Notice of Third Circuit Escalation.

- Despite Plaintiffs' good faith compliance with the Court's July 11, 2025 order and the submission of a Verified Curative Complaint and supporting declaration, the docket remains procedurally unbalanced. (ECF Nos. 19 and 31 remain improperly active.)
- Plaintiffs face documented, real-time third-party financial harm, including eviction proceedings, stemming from the delay and non-response of the Court and Defendants.
- This Notice of Appeal is filed in parallel and not in abandonment of pending relief before the district court, but out of necessity due to imminent harm and judicial inaction.

Dated: July 21, 2025

Respectfully submitted,

/s/ Audury Petie Davis



Audury Petie Davis

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Pro Se Plaintiff and Authorized Representative for Maryann Butler

Certificate of Service

I certify that on this day I served a true and correct copy of this Notice of Appeal via U.S. Mail and/or electronic means to all parties of record, including: James McNally

jmcnally@cohenseglia.com

Dated: July 21, 2025

/s/ Audury Petie Davis

Audury Petie Davis